

U. S. Customs and Border Protection (CBP) and U.S. Consumer Product Safety Commission (CPSC) Webinar Series – Session #2
Thursday March 26th, 2015
2pm -3pm (EDT)

Audience Questions from Session # 2

What chapters are involved on CPSC pilot?

Are the HTSUS numbers flagged in the CBP database or in the filers software?

You indicated that CPSC would flag HTS toy codes. Will the CPSC be providing flags for all HTS codes where certificates are required? What about HTS codes where there are items that could be item subject to and those not subject to CPSC jurisdiction?

CPSA Section 14(g)(3) provides that the certificate shall accompany the shipment to the distributor or retailer and be submitted to the Commission "upon request." While 14(g)(4) provides for the electronic filing of certificates up to "24 hours before arrival of an imported product," this provision still states that the certificate shall be furnished to the Commission "upon request." So where is the statutory authority to require the certificate as a condition of entry?

If we prefer to use the ACE registry, how will the required manufactured date be addressed?

Are there any plans to incorporate trade facilitation or streamlined process to ISA-Product Safety certified companies?

How does CPSC anticipate certificates uploaded in a batch upload will be identified or referenced?

Will importers or companies be able to get a report or query articles or certificates from the CPSC database?

Can you please expand upon what are the "other regulatory purposes" that CPSC intend to use the certificate data for?

With electronic entry of certificate data, would a physical certificate still be required?

You mentioned using FDA products coming out of an FTZ as a template for CPSC. FDA requires preapproval. Will CPSC require preapproval to move through and FTZ as well?

What are the 10 proposed required data elements?

If filer enters data into CPSC Certificate Registry, is it necessary for filer to also enter data PGA elements at time of entry into ACE? It seems that if the Registry is able to generate a unique identifier upon receipt of valid CPSC/COC information, this unique identifier can be used by

filer to enter when filing entry. This would possibly eliminate duplicate data entry into two systems?

How can companies participate in the pilot?

It appears that there are two separate approaches that the CPSC can take - 1) ask for data that will be useful for CPSC's risk targeting purposes and 2) a check the box - file the entire certificate requirement - where the data would be collected regardless of its usefulness for import risk targeting. It is our understanding that the CPSC staff has been challenged by several of the Commissioners to justify the data it proposes to collect in terms of import risk targeting. Can you please go through the data elements of the certificates and proposed rule certificates in terms of justification of enhancing import risk targeting?

Is there an estimate of the total number of certificates that would have to be electronically filed each year under the full e-filing program?

The Working group has submitted several documents to the CPSC identifying where we believe that there is duplicative data or if there is not an exact match - there has been a question of whether the current entry data would meet the CPSC's requirement for that data. There are also questions asking for feedback on the import risk justification for the request for the data. Can you please provide your response and comments to these documents?

Small and micro businesses have unique import situations - for example, rather than a container with large quantities of five or fewer different products, we have a DHL shipment with small quantities of 100 different products. So instead of 5 certificates on a single shipment we may have 100 certificates. Of course the cost to file the electronic certificates balloons and becomes a burden for small and micro businesses. What provision will be made for these situations to prevent this burdensome requirement?

Date of manufacture is one of the required data elements on a certificate. If you upload the certificate data elements into the CBP registry for a number of shipments over the coming months, is this a valid option?